



City of Santa Barbara California

PLANNING COMMISSION STAFF REPORT

REPORT DATE: June 30, 2011
AGENDA DATE: July 7, 2011
PROJECT ADDRESS: 1547 Shoreline Drive (MST2009-00234, CDP2009-00016)
TO: Planning Commission
FROM: Planning Division, (805) 564-5470
 Danny Kato, Senior Planner *[Signature]*
 Kelly Brodison, Assistant Planner *[Signature]*

I. PROJECT DESCRIPTION

The project consists of a proposal to remove a portion of an existing concrete patio that has been undermined by erosion on the coastal bluff, removal of a potting shed; and installation of a new curb, railing and gate at the edge of the remaining concrete patio. The project includes the "as-built" removal of five eucalyptus trees within the 75-year geologic setback (two on the subject lot and three on the adjacent vacant lot to the north), installation of new landscaping with associated irrigation and redirecting drainage away from the top of bluff and rebuilding access stairs to the lower deck. There is an existing 4,319 square foot two-story single-family residence, a 520 square foot attached two-car garage, a 364 square foot bath house with a 480 square foot covered patio with a deck above on a 20,300 square foot lot located in the Appealable Jurisdiction of the Coastal Zone and the Hillside Design District. The removal of the potting shed and undermined portion of the deck and installation of the curb, rail and gate were previously done under Emergency Permit BLDL2009-02399.

II. REQUIRED APPLICATIONS

The discretionary application required for this project is a Coastal Development Permit (CDP2009-00016) to allow the proposed development in the Appealable Jurisdiction of the City's Coastal Zone (SBMC §28.45.009)

III. RECOMMENDATION

The proposed project conforms to the City's Zoning and Building Ordinances and policies of the General Plan and Local Coastal plan. There is no increase in the size and massing of the project as it consists of demolition, repair and landscaping, and is therefore consistent with the surrounding neighborhood. Therefore, Staff recommends that the Planning Commission approve the project, making the findings outlined in Section VI of this report, and subject to the conditions of approval in Exhibit A.



APPLICATION DEEMED COMPLETE:
DATE ACTION REQUIRED:

May 17, 2011
July 16, 2011

IV. SITE INFORMATION AND PROJECT STATISTICS

A. SITE INFORMATION

Applicant: Mark Morando	Property Owner: Danny Duncan
Parcel Number: 045-173-041	Lot Area: 20,300 square feet
General Plan: Residential 5 units/acre	Zoning: E-3/SD-3
Existing Use: Single Family Residence	Topography: 25%
Adjacent Land Uses: North – Shoreline Drive South – Pacific Ocean East – Single Family Residential West – Vacant Residential Lot	

B. PROJECT STATISTICS

	Existing	Proposed
Living Area	4,319 sq. ft.	No Change
Garage	520 sq. ft.	No Change
Accessory Space	364 sq. ft.	No Change

V. ZONING ORDINANCE CONSISTENCY

Standard	Requirement/ Allowance	Existing	Proposed
Setbacks -Front -Interior	20' 6'	No Change 3'-3" legally non-conforming	No Changes
Building Height	30'	~25' & 2-story	No Change
Parking	2	2	No Change
Open Yard	1,250	>1,250	No Change
Lot Coverage			
-Building	N/A		4,860 sq. ft. 24%
-Paving/Driveway	N/A		3,466 sq. ft. 17%
-Landscaping	N/A		11,974 sq. ft. 59%

The proposed project is consistent with the requirements of the E-3, single-family residence zone related to building height, setbacks, solar access, open yard requirements and parking.

PROJECT BACKGROUND

The original house, bluff top accessory structures (potting shed and bath house) and decks were constructed in the early 1970's before the Local Coastal Plan was adopted. A remodel and addition of the main residence was approved by the Planning Commission in 1993 (Exhibit F). Since the original construction, the bluff top deck was undermined by erosion. The undermined portion of the deck and the potting shed were determined to be unsafe by the

Building Official, and a Notice of Violation was issued to the property owner by the City in October 2008.

Because of the project's location in the appealable jurisdiction of the Coastal Zone, a Coastal Development is required for the demolition of the overhanging portions of the deck and the potting shed. An Emergency Coastal Development Permit (Exhibit D) was issued in January 2010, to remove the unsafe structures from the site.

The applicant is now requesting a formal Coastal Development Permit for the project as required for projects that receive Emergency CDPs. Drainage will be directed away from the top of bluff by installing a curb at the edge of the remaining concrete patio and install drainage improvements that will redirect drainage to the existing drain and prevent water from running down the bluff. New landscaping with associated irrigation will be installed. The proposal includes repairing the existing sump pump, and installing a battery back-up in case of a power outage, replacement of the access stairs to the lower deck and a gate to allow maintenance of the sump pump. The proposed improvements are intended to abate violations in ENF2008-00430 and ENF2010-00829.

A. ENVIRONMENTAL REVIEW

The project is determined to be Categorically Exempt from further environmental review per California Environmental Quality Act (CEQA) Guidelines, Section 15301 (1) (4) Existing Facilities, which allows the demolition and removal of accessory (appurtenant) structures such as patios which involve negligible or no expansion and allows for landscaping on the lot. A registered geologist, Adam Simmons, has reviewed the proposed landscaping and irrigation plans and has determined that these features would not exacerbate instability on the bluff (Exhibit E). The proposed demolition of a portion of the patio would mitigate existing structural hazards associated with erosion of the bluff, and improve safety of the area.

B. DESIGN REVIEW

The proposed landscaping and irrigation was reviewed at the Single Family Design Board Consent Calendar on April 25, 2011 and received positive comments. The project will return to the Consent Calendar for a Final Review subsequent to the Planning Commission hearing.

C. COMPLIANCE WITH THE GENERAL PLAN AND LOCAL COASTAL PLAN

General Plan Consistency

The proposed project is located in the East Mesa neighborhood, as identified in the Land Use Element of the General Plan and has a land use designation of Residential, five units per acre. This neighborhood is recognized as primarily single-family development on small lots. The project consists of the removal of a portion of a deck that has been undermined by bluff erosion and as such, the existing residence and accessory structures will remain unchanged. The project is, and will remain, consistent with the General Plan Land Use designation and will continue to be compatible with the surrounding neighborhood. Therefore, this project can be found consistent with the policies of the General Plan

Local Coastal Plan Consistency

The project site is located within the Coastal Zone and therefore, must be found consistent with the City's Local Coastal Plan (LCP), which implements the California Coastal Act. The project is in Component Two of the Local Coastal Plan (LCP), which is located between Arroyo Burro Creek and the westerly boundary of Santa Barbara City College. The LCP states that the primary land use of this area is single-family residential and has very limited additional development potential. Major coastal issues in this area include hazards of seacliff retreat, maintaining and providing public access, both vertically and laterally along the bluffs, maintenance of existing coastal views and open space, and protection of archaeological resources. Public views will not be affected because there are no public view corridors on the project side of the street and the project site was not found to be archaeologically sensitive. As discussed above in Section VI.A. Environmental Review, the proposed landscaping and irrigation would not exacerbate geologic instability in the area and the project would mitigate existing structural hazards due to bluff erosion on the property.

VI. FINDINGS

The Planning Commission finds the following:

COASTAL DEVELOPMENT PERMIT (SBMC §28.44.150)

The project is consistent with the policies of the California Coastal Act, the City's Local Coastal Plan, all implementing guidelines and applicable provisions of the Code because it consists of the demolition of a portion of a deck and removal of a potting shed that overhangs the bluff edge, therefore eliminating a safety hazard, along with landscaping and irrigation improvements. The project does not result in an increase in density, and it would be compatible with the existing neighborhood. The project will not have an impact on views from public view corridors the project site is not currently or proposed to be a public access point; and the project is not located on an archaeologically sensitive site. The demolition that was allowed under the Emergency Permit occurred within areas that were previously disturbed for the original construction in the early 1970s. The proposed landscaping and irrigation would not exacerbate geologic instability in the area, and the project would mitigate existing structural hazards due to bluff erosion on the property.

Exhibits:

- A. Conditions of Approval
- B. Site Plan
- C. Applicant's letter, dated March 24, 2011
- D. Emergency Coastal Development dated January 20, 2010
- E. Preliminary Geologic & Hydrogeologic Investigation prepared by Adam Simmons, dated April 16, 2009, September 25, 2010 and March 17, 2011
- F. Planning Commission Resolution #022-93

PLANNING COMMISSION CONDITIONS OF APPROVAL

1547 SHORELINE DRIVE
COASTAL DEVELOPMENT PERMIT
JULY 7, 2011

I. In consideration of the project approval granted by the Planning and for the benefit of the owner(s) and occupant(s) of the Real Property, the owners and occupants of adjacent real property and the public generally, the following terms and conditions are imposed on the use, possession, and enjoyment of the Real Property:

A. **Order of Development.** In order to accomplish the proposed development, the following steps shall occur in the order identified:

1. Obtain all required design review approvals.
2. Pay Land Development Team Recovery Fee. The land development team recovery fee (30% of all planning fees, as calculated by staff) shall be paid at time of building permit application
3. Make application and obtain a Building Permit (BLD) to demolish any structures / improvements and/or perform rough grading. Comply with condition G "Construction Implementation Requirements."
4. Record any required documents (see Recorded Conditions Agreement section).
5. Permits.
 - a. Make application and obtain a Building Permit (BLD) for construction of approved development.
 - b. Make application and obtain a Public Works Permit (PBW) for all required public improvements.

Details on implementation of these steps are provided throughout the conditions of approval.

B. **Recorded Conditions Agreement.** The Owner shall execute a written instrument, which shall be prepared by Planning staff, reviewed as to form and content by the City Attorney, Community Development Director and Public Works Director, recorded in the Office of the County Recorder, and shall include the following:

1. **Approved Development.** The development of the Real Property approved by the Planning Commission on July 14, 2011 is limited to the removal of a portion of an existing concrete patio that has been undermined by erosion on the coastal bluff, removal of a potting shed; and installation of a new curb, railing and gate at the edge of the remaining concrete patio. The project also includes the "as-built" removal of five eucalyptus trees within the 75-year geologic setback (two on the subject lot and three on the adjacent vacant lot to the north), installation of new landscaping with associated irrigation; and redirecting drainage away from the top of bluff and rebuilding access stairs to the lower deck. There is an existing 4,319 square foot 364 square foot bath house with a 480 square foot covered patio with a

deck above and the improvements shown on the plans signed by the chairman of the Planning Commission on said date and on file at the City of Santa Barbara.

2. **Uninterrupted Water Flow.** The Owner shall provide for the continuation of any historic uninterrupted flow of water onto the Real Property including, but not limited to, swales, natural watercourses, conduits and any access road, as appropriate.
3. **Recreational Vehicle Storage Limitation.** No recreational vehicles, boats, or trailers shall be stored on the Real Property unless enclosed or concealed from view as approved by the Family Design Board (SFDB).
4. **Landscape Plan Compliance.** The Owner shall comply with the Landscape Plan approved by the Single Family Design Board (SFDB). Such plan shall not be modified unless prior written approval is obtained from the SFDB. The landscaping on the Real Property shall be provided and maintained in accordance with said landscape plan, including any tree protection measures. If said landscaping is removed for any reason without approval by the SFDB, the owner is responsible for its immediate replacement.
5. **Storm Water Pollution Control and Drainage Systems Maintenance.** Owner shall maintain the drainage system and storm water pollution control devices in a functioning state. Should any of the project's surface or subsurface drainage structures or storm water pollution control methods fail to capture, infiltrate, and/or treat water, or result in increased erosion, the Owner shall be responsible for any necessary repairs to the system and restoration of the eroded area. Should repairs or restoration become necessary, prior to the commencement of such repair or restoration work, the Owner shall submit a repair and restoration plan to the Community Development Director to determine if an amendment or a new Building Permit Coastal Development Permit is required to authorize such work. The Owner is responsible for the adequacy of any project-related drainage facilities and for the continued maintenance thereof in a manner that will preclude any hazard to life, health, or damage to the Real Property or any adjoining property.
6. **Coastal Bluff Liability Limitation.** The Owner understands and is advised that the site may be subject to extraordinary hazards from waves during storms and erosion, retreat, settlement, or subsidence and assumes liability for such hazards. The Owner unconditionally waives any present, future, and unforeseen claims of liability on the part of the City arising from the aforementioned or other natural hazards and relating to this permit approval, as a condition of this approval. Further, the Owner agrees to indemnify and hold harmless the City and its employees for any alleged or proven acts or omissions and related cost of defense, related to the City's approval of this permit and arising from the aforementioned or other natural hazards whether such claims should be stated by the Owner's successor-in-interest or third parties.

7. **Geotechnical Liability Limitation.** The Owner understands and is advised that the site may be subject to extraordinary hazards from landslides, erosion, retreat, settlement, or subsidence and assumes liability for such hazards. The Owner unconditionally waives any present, future, and unforeseen claims of liability on the part of the City arising from the aforementioned or other natural hazards and relating to this permit approval, as a condition of this approval. Further, the Owner agrees to indemnify and hold harmless the City and its employees for any alleged or proven acts or omissions and related cost of defense, related to the City's approval of this permit and arising from the aforementioned or other natural hazards whether such claims should be stated by the Owner's successor-in-interest or third parties.
- C. **Design Review.** The project, including public improvements, is subject to the review and approval of the Single Family Design Board (SFDB). The SFDB shall not grant project design approval until the following Planning Commission land use conditions have been satisfied.
1. **Appropriate Plants on Bluff.** Special attention shall be paid to the appropriateness of the existing and proposed plant material on the bluff. All existing succulent plants that add weight to the bluff and/or contribute to erosion shall be removed in a manner that does not disturb the root system and replaced with appropriate plant material in a manner that does not increase the rate of erosion.
 2. **Drainage.** The proposed improvements will ensure positive drainage to the City's storm drain or to the existing drain and prevent water from running down the face of the bluff.
 3. **Irrigation System.** The irrigation system shall be designed and maintained with the most current technology to prevent a system failure. Watering of vegetation on the bluff edge shall be kept to the minimum necessary for plant survival. The drip system along the bluff edge shall be removed after one full season of plant growth.
- D. **Requirements Prior to Permit Issuance.** The Owner shall submit the following, or evidence of completion of the following, for review and approval by the Department listed below prior to the issuance of any permit for the project. Some of these conditions may be waived for demolition or rough grading permits, at the discretion of the department listed. Please note that these conditions are in addition to the standard submittal requirements for each department.
1. **Public Works Department.**
 - a. **Approved Public Improvement Plans.** Public Improvement Plans as identified in conditions D.1.d "shoreline Drive Public Improvements" shall be submitted to the Public Works Department for review and approval as a part of the Building Permit.
 - b. **Water Rights Assignment Agreement.** The Owner shall assign to the City of Santa Barbara the exclusive right to extract ground water from

under the Real Property in an *Agreement Assigning Water Extraction Rights*. Engineering Division Staff prepares said agreement for the Owner's signature.

- c. **Drainage and Water Quality.** The Owner shall comply with the City's Storm Water Management Plan. Project plans for grading, drainage, stormwater facilities and treatment methods, and project development, shall be subject to review and approval by the City Building Division and Public Works Department. Sufficient engineered design and adequate measures shall be employed to ensure that no significant construction-related or long-term effects from increased runoff, erosion and sedimentation, urban water pollutants (including, but not limited to trash, hydrocarbons, fertilizers, bacteria, etc.), or groundwater pollutants would result from the project.
- d. **Shoreline Drive Public Improvements.** The Owner shall submit building plans for construction of improvements along the property frontage on Shoreline Drive. As determined by the Public Works Department, the improvements shall include a Sewer Line Inspection if existing lateral will be re-used or provide a new private sewer lateral, a larger potable water meter if determined additional supply is needed, and provide adequate positive drainage from site. Any work in the public right-of-way requires a Public Works Permit.

2. **Community Development Department.**

- a. **Recordation of Agreements.** The Owner shall provide evidence of recordation of the written instrument that includes all of the Recorded Conditions identified in condition B "Recorded Conditions Agreement" to the Community Development Department prior to issuance of any building permits.
- b. **Requirement for Archaeological Resources.** The following information shall be printed on the site plan

If archaeological resources are encountered or suspected, work shall be halted or redirected immediately and the Planning Division shall be notified. The archaeologist shall assess the nature, extent, and significance of any discoveries and develop appropriate management recommendations for archaeological resource treatment, which may include, but are not limited to, redirection of grading and/or excavation activities, consultation and/or monitoring with a Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List, etc.

If the discovery consists of possible human remains, the Santa Barbara County Coroner shall be contacted immediately. If the Coroner determines that the remains are Native American, the Coroner shall contact the California Native American Heritage Commission. A Barbareño Chumash representative from the most current City Qualified Barbareño Chumash

Site Monitors List shall be retained to monitor all further subsurface disturbance in the area of the find. Work in the area may only proceed after the Planning Division grants authorization.

If the discovery consists of possible prehistoric or Native American artifacts or materials, a Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List shall be retained to monitor all further subsurface disturbance in the area of the find. Work in the area may only proceed after the Planning Division grants authorization.

- c. **Design Review Requirements.** Plans shall show all design, landscape and tree protection elements, as approved by the appropriate design review board and as outlined in Section C "Design Review," and all elements/specifications shall be implemented on-site.
- d. **Conditions on Plans/Signatures.** The final Resolution shall be provided on a full size drawing sheet as part of the drawing sets. Each condition shall have a sheet and/or note reference to verify condition compliance. If the condition relates to a document submittal, indicate the status of the submittal (e.g., Final Map submitted to Public Works Department for review). A statement shall also be placed on the sheet as follows: The undersigned have read and understand the required conditions, and agree to abide by any and all conditions which are their usual and customary responsibility to perform, and which are within their authority to perform.

Signed:

Property Owner

Date

Contractor

Date

License No.

Architect

Date

License No.

Engineer

Date

License No.

- E. **Construction Implementation Requirements.** All of these construction requirements shall be carried out in the field by the Owner and/or Contractor for the duration of the project construction, including demolition and grading.

- 1. **Construction Hours.** Construction (including preparation for construction work) shall only be permitted Monday through Friday between the hours of 7:00 a.m. and 5:00 p.m. and Saturdays between the hours of 9:00 a.m. and 4:00 p.m., excluding the following holidays: (look at longer or shorter hours, no Saturday construction, depending on project location; also consider special hours for non-noisy construction; e.g., 7:00-8:00 a.m.)

New Year's Day	January 1st*
Martin Luther King's Birthday	3rd Monday in January
Presidents' Day	3rd Monday in February
Memorial Day	Last Monday in May
Independence Day	July 4th*
Labor Day	1st Monday in September
Thanksgiving Day	4th Thursday in November
Following Thanksgiving Day	Friday following Thanksgiving Day
Christmas Day	December 25th*

*When a holiday falls on a Saturday or Sunday, the preceding Friday or following Monday, respectively, shall be observed as a legal holiday.

When, based on required construction type or other appropriate reasons, it is necessary to do work outside the allowed construction hours, contractor shall contact the Chief of Building and Safety to request a waiver from the above construction hours, using the procedure outlined in Santa Barbara Municipal Code §9.16.015 Construction Work at Night. Contractor shall notify all residents within 300 feet of the parcel of intent to carry out said construction a minimum of 48 hours prior to said construction. Said notification shall include what the work includes, the reason for the work, the duration of the proposed work and a contact number.

2. **Construction Storage/Staging.** Construction vehicle/ equipment/ materials storage and staging shall be done on-site. No parking or storage shall be permitted within the public right-of-way, unless specifically permitted by the Transportation Manager with a Public Works permit.
3. **Construction Parking.** During construction, free parking spaces for construction workers shall be provided on-site or off-site in a location subject to the approval of the Transportation Manager.
4. **Construction Best Management Practices (BMPs).** Construction activities shall address water quality through the use of Best Management Practices (BMPs), as approved by the Building and Safety Division.
5. **Unanticipated Archaeological Resources Contractor Notification.** Standard discovery measures shall be implemented per the City master Environmental Assessment throughout grading and construction: Prior to the start of any vegetation or paving removal, demolition, trenching or grading, contractors and construction personnel shall be alerted to the possibility of uncovering unanticipated subsurface archaeological features or artifacts. If such archaeological resources are encountered or suspected, work shall be halted immediately, the City Environmental Analyst shall be notified and the Owner shall retain an archaeologist from the most current City Qualified Archaeologists List. The latter shall be employed to assess the nature, extent and significance of any discoveries and to develop appropriate management recommendations for archaeological resource

treatment, which may include, but are not limited to, redirection of grading and/or excavation activities, consultation and/or monitoring with a Barbareño Chumash representative from the most current City qualified Barbareño Chumash Site Monitors List, etc.

If the discovery consists of possible human remains, the Santa Barbara County Coroner shall be contacted immediately. If the Coroner determines that the remains are Native American, the Coroner shall contact the California Native American Heritage Commission. A Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List shall be retained to monitor all further subsurface disturbance in the area of the find. Work in the area may only proceed after the Environmental Analyst grants authorization.

If the discovery consists of possible prehistoric or Native American artifacts or materials, a Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List shall be retained to monitor all further subsurface disturbance in the area of the find. Work in the area may only proceed after the Environmental Analyst grants authorization.

A final report on the results of the archaeological monitoring shall be submitted by the City-approved archaeologist to the Environmental Analyst within 180 days of completion of the monitoring and prior to any certificate of occupancy for the project.

6. **Construction Responsibilities and Debris Removal.** The applicant shall, by accepting this permit, agree and ensure that the project contractor shall comply with the following construction-related requirements:
 - a. Applicant shall coordinate with Parks Department for any access to the beach during low tide to remove any fallen debris. Prior to construction, the contractor shall identify any limitation of public access to the beach that may be needed to protect public safety and shall coordinate with the Parks Department to develop a plan to protect the public while minimizing the time period of any limitations in public access.
 - b. No construction materials, debris, or waste shall be placed or stored where it may be subject to wave erosion and dispersion;
 - c. Any and all debris resulting from construction activities shall be removed from the beach prior to the end of each work day;
 - d. No machinery or mechanized equipment shall be allowed at any time within the active surf zone, except for that necessary to remove any demolition debris from the beach.
 - e. Construction equipment shall not be cleaned on the beach or in any area where runoff from cleaning could drain to the beach;
 - f. Construction debris and sediment shall be properly contained and secured on site with BMPs to prevent the unintended transport of sediment and

other debris into coastal waters by wind, rain or tracking. Any and all debris resulting from construction activities shall be removed from the bluff top within 24 hours. Should any portion of the beach be impacted by debris removal, The City's Community Development Department and California Coastal Commission shall be notified and the area shall be restored to natural conditions as soon as possible including the redeposition of any sand back on the beach.

F. **Prior to Certificate of Occupancy.** Prior to issuance of the Certificate of Occupancy, the Owner of the Real Property shall complete the following:

1. **Repair Damaged Public Improvements.** Repair any public improvements (curbs, gutters, sidewalks, roadways, etc.) or property damaged by construction subject to the review and approval of the Public Works Department per SBMC §22.60.090. Where tree roots are the cause of the damage, the roots shall be pruned under the direction of a qualified arborist.

G. **General Conditions.**

1. **Prior Conditions.** These conditions shall supersede to the conditions identified in Planning Commission Resolution 022-93.
2. **Compliance with Requirements.** All requirements of the city of Santa Barbara and any other applicable requirements of any law or agency of the State and/or any government entity or District shall be met. This includes, but is not limited to, the Endangered Species Act of 1973 [ESA] and any amendments thereto (16 U.S.C. § 1531 et seq.), the 1979 Air Quality Attainment Plan, and the California Code of Regulations.
3. **Approval Limitations.**
 - a. The conditions of this approval supersede all conflicting notations, specifications, dimensions, and the like which may be shown on submitted plans.
 - b. All buildings, roadways, parking areas and other features shall be located substantially as shown on the plans approved by the Planning Commission.
 - c. Any deviations from the project description, approved plans or conditions must be reviewed and approved by the City, in accordance with the Planning Commission Guidelines. Deviations may require changes to the permit and/or further environmental review. Deviations without the above-described approval will constitute a violation of permit approval.
4. **Litigation Indemnification Agreement.** In the event the Planning Commission approval of the Project is appealed to the City Council, Applicant/Owner hereby agrees to defend the City, its officers, employees, agents, consultants and independent contractors ("City's Agents") from any third party legal challenge to the City Council's denial of the appeal and approval of the Project, including, but not limited to, challenges filed pursuant to the California Environmental Quality

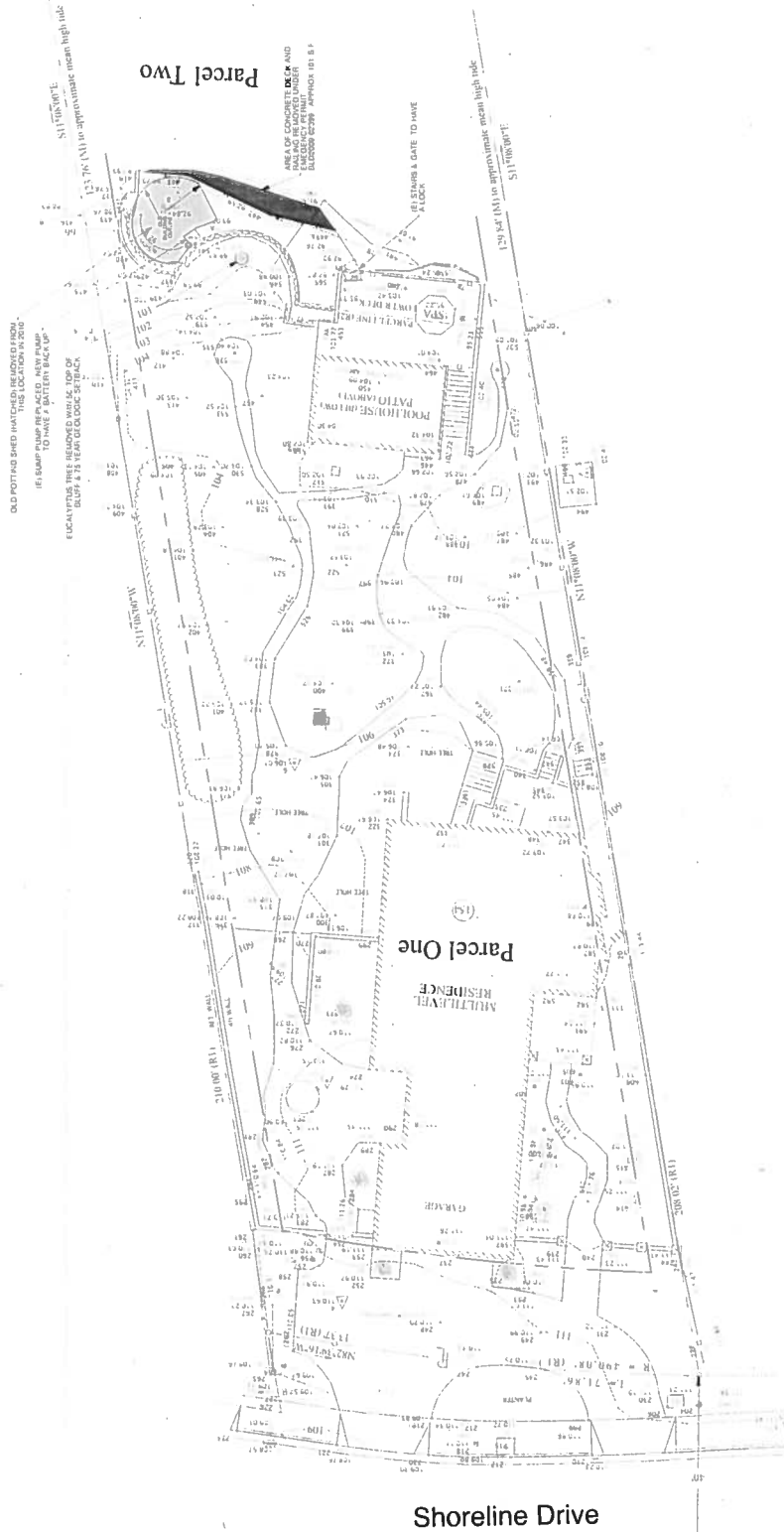
Act (collectively "Claims"). Applicant/Owner further agrees to indemnify and hold harmless the City and the City's Agents from any award of attorney fees or court costs made in connection with any Claim.

Applicant/Owner shall execute a written agreement, in a form approved by the City Attorney, evidencing the foregoing commitments of defense and indemnification within thirty (30) days of being notified of a lawsuit regarding the Project. These commitments of defense and indemnification are material conditions of the approval of the Project. If Applicant/Owner fails to execute the required defense and indemnification agreement within the time allotted, the Project approval shall become null and void absent subsequent acceptance of the agreement by the City, which acceptance shall be within the City's sole and absolute discretion. Nothing contained in this condition shall prevent the City or the City's Agents from independently defending any Claim. If the City or the City's Agents decide to independently defend a Claim, the City and the City's Agents shall bear their own attorney fees, expenses, and costs of that independent defense.

NOTICE OF COASTAL DEVELOPMENT PERMIT TIME LIMITS:

The Planning Commission / Staff Hearing Officer action approving the Coastal Development Permit shall expire two (2) years from the date of final action upon the application, per Santa Barbara Municipal Code §28.44.230, unless:

1. Otherwise explicitly modified by conditions of approval for the coastal development permit.
2. A Building permit for the work authorized by the coastal development permit is issued prior to the expiration date of the approval.
3. The Community Development Director grants an extension of the coastal development permit approval. The Community Development Director may grant up to three (3) one-year extensions of the coastal development permit approval. Each extension may be granted upon the Director finding that: (i) the development continues to conform to the Local Coastal Program, (ii) the applicant has demonstrated due diligence in completing the development, and (iii) there are no changed circumstances that affect the consistency of the development with the General Plan or any other applicable ordinances, resolutions, or other laws.



Planning Division
City of Santa Barbara
PO Box 1990
Santa Barbara, CA 93102-1990

Date 03-24-2011

Coastal Development Permit for 1547 Shoreline Drive
APN 047-173-041
Land Use E-3/SD-3

RECEIVED
MAR 23 2011

CITY OF SANTA BARBARA
PLANNING DIVISION

Dear Planning Commissioners and Staff,

Enclosed please find the formal application for the project located at 1547 Shoreline Drive, within the East Mesa neighborhood of the City of Santa Barbara. The subject property is a 0.64 acre parcel zoned E-3/SD-3 within the Appealable Jurisdiction of the California Coastal Commission.

The applicants are requesting approval for a Coastal Development Permit (CDP) at Planning Commission pursuant to Section 28.44.060 of the Santa Barbara Municipal Code under MST2009-00234. Single Family Design Review Board is required for some new landscaping and the new lower (cut-back) decks railing and gate.

The applicants, Daniel and Susan Duncan, purchased the property in 2006 with a zoning information report stating no violations. The applicants are proposing to obtain a Coastal Development Permit for: the Emergency repair permit under BLD2009-02399; for the engineered work performed on the bluff and lower bath house deck, the tree well and removal of the potting shed. The CDP will also abate the violations in ENF2008-00430 and for the tree removed within the fifty-foot top of bluff setback and the seventy-five year geologic setback.

The previous agent for the Duncan's, Mark Sauter submitted an application pursuant to SBMC Section 28.44.100 for the emergency repair work January 13, 2010. Mark Sauter also applied for the CDP May 6th, 2009, "to remove a portion of the concrete patio and an accessory structure that have been undermined by bluff erosion, the installation of a curb at the edge of the remaining concrete patio and drainage improvements that will redirect drainage to the existing drain and prevent water from running down the face of the bluff."

The engineered emergency repair permit was applied for on October 27th, 2010, under Building permit 2009-002399 and issued January 13th, 2010. Basically, the existing lower patio of the bathhouse was undermined due to bluff erosion. The patio was cut back to remove the safety hazard. A new slab was poured and tied into the existing wall to recreate the existing drainage and for safety purposes. The potting shed was removed and the slab repaired to direct all of the water into the existing sump pump to prevent water from reaching the bluff. All of the drainage is pumped into the City storm drain via the existing drainage system permitted when it was originally installed.

The Duncan's received a final demolition inspection February 22nd 2010. The building permit is still open awaiting the approval of the Coastal Development Permit. The owner's received the Notice of Violation letter under ENF2008-00430 on October 13,

EXHIBIT C

2008. A letter is attached from Mark Morando, dated November 10, 2010, addressing all of the violations in the Notice of Violation. Planning and Building have determined that violations #1-#6 were permitted with through previous Coastal Development Permits and corresponding building permits. This leaves violation #7 for some new landscaping and it's corresponding irrigation system to be addressed with this permit.

The new landscaping and irrigation system has been designed by Bob Cunningham of Arcadia Studios and will be reviewed by the Single Family Design Board. The landscape plan was designed with deep-rooted, low water usage ground cover consistent with LCP policies. The drainage on the property was approved under BLD93-0188 for the installation of three surface drains and a new 6" pipe that crosses over the vacant lot next door, that also has a surface drain which connect into the City storm drain system. The existing three surface drains capture surface flow of the lot from the front property line to the line of the drains and discharge it into the City storm drain. The roof sheet flow also discharges directly into the drainage system. Any water behind the drainage pipes flow onto the bathhouse decks and into French drain and is captured and pumped up to the drain pipe system and into the City storm drain. The emergency repair work performed in 2010 relined the sump pump well and installed a new sump pump with a battery back up in case of a power outage. The sump pump was a required condition by the geologists in 1985, 1993, 2001 and 2010. Therefore the project is consistent with the California Coastal Act policies 30253 and LCP policies 8.1 & 8.2.

LCP policies 8.1 and 8.2 pertain to hazard reduction of sea cliff retreat and "minimizing risks to life and property from geologic, flood, and fire hazards...". The policies speak to new development of bluff top land and adequate drainage systems. The project is consistent with policy 8.2 in that the improvements are for drainage purposes only and policy 8.1 in that the property has an approved drainage of adequate size to a City storm drain. The drainage system in place is adequate per the attached hydrology calculations and geologic report dated March 17, 2011 by Adam Simmons. The hardscape and contours of the lot have not changed since the addition of the second floor, landscaping and drainage permits and CDP done by the previous owners, the Rubin's in 1993-1995. Prober Land Surveying created a full boundary and topographic survey on January 5th, 2011. All hydrology, landscaping, irrigation and drainage, as well as geologic setbacks were created off of this survey.

The drainage and landscaping are designed to be consistent with LCP policies for Seacliff Retreat.

The project is a repair and maintenance and no new structure have been added within the 75-year geologic, nor fifty-foot bluff of top setback. Instead structures in the 75-year geologic and fifty-foot bluff of top setback were removed including the portions of the concrete deck undermined by bluff erosion, the eucalyptus tree in the tree well and the potting shed. The potting shed slab was repaired to create an impermeable surface and direct water to the sump pump so no water erodes the bluff. The existing approved stairs to the potting shed will be replaced to building code and a locked gate installed to prevent access to this portion of the bluff, except for access for maintenance of the sump pump.

The present project is nothing more than a continuation of the on-going repair and maintenance activity to preserve and protect, to the extent feasible, the stability of the bluff. Public Resource Code sections 30001 and 30001.5 include the protection of

private property and the protection and maintenance of artificial resources like the Duncan's bathhouse and dwelling. Public Resource Code Section 30610 provides an exemption for maintenance and repair and for replacement of structures that have been destroyed by disaster.

The project has stabilized the bluff and provides structural integrity for the improvements on the property for both the bath-house and the dwelling, consistent with Public Resource Code Section 30253. The engineering was based on soils, geologic, and structural calculations done by licensed professionals and is consistent with City LCP policy 6.3. It does not substantially alter the natural landform along the bluff, but contours the bluff itself, consistent with the City LCP policy 6.4. The work performed did not modify the landforms, nor the natural bluff top.

Members of the public have access to the beach at a Thousand Steps, approximately 1,000 feet to the east along the road.

The Duncans value their home and bathhouse and have hired a team of professionals to design and engineer the repair and maintenance of the small bluff landslide to protect and preserve them to the extent feasible. The application for the repair and maintenance is entirely consistent with all land use policies and regulations. This application is consistent with the previous 1985 CDP and 1992 CDP for erosion control repair. The emergency repair work approved under BLD2009-02399 stabilized the bluff, as it now exists and eliminated undercut portion of the deck.

Sincerely,



Mark Morando



City of Santa Barbara

Community Development Department

Kelly

www.SantaBarbaraCA.gov

Director's Office

Tel: 805.564.5502

Fax: 805.564.5506

Building & Safety

Tel: 805.564.5485

Fax: 805.564.5476

Housing &

Redevelopment

Tel: 805.564.5461

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Planning

Tel: 805.564.5470

Fax: 805.897.1904

Rental Housing

Mediation Task Force

Tel: 805.564.5420

Fax: 805.564.5477

630 Garden Street

PO Box 1990

Santa Barbara, CA

93102-1990

January 20, 2010

Mark Sauter
John S. Carter, Inc.
1102 Highland Road
Santa Ynez, CA 93460

RE: 1547 Shoreline Drive Emergency Coastal Development Permit

Dear Mr. Sauter:

On January 13, 2010 Mark Sauter submitted an application pursuant to Municipal Code Section §28.44.100 – Permit for Emergency Work – to remove a portion of a concrete deck that has been undermined by bluff erosion and has become an immediate hazard to life and safety, re-direct drainage in this area away from the bluff edge, and install temporary safety fencing at the new edge of the concrete deck. The work includes measures to protect public beach users during removal of slab. A site plan is provided in Exhibit B and a complete project description, description of the emergency condition, and justification of the project scope is provided in Exhibit C.

On December 16, 2009, the Community Development Director verified the facts of the case, including the existence and nature of an emergency and coordinated by telephone with the South Central Coast District Office of the Coastal Commission as to the nature of the emergency and the scope of the emergency to be performed. On December 17, 2009 an announcement was made at the Planning Commission of the proposed emergency work. On December 18, 2009 a notice was issued pursuant to Section 13329.3 of Title 24 of the California Administrative Code to property owners with 300 feet of the project and residents within 100 feet of the project that the Community Development Director was planning on issuing an emergency permit for the proposed work following a three week public comment period ending on January 11, 2010. No comments were received.

A Coastal Development Permit (CDP) for Emergency Work pursuant to Municipal Code Section 28.44.100 is hereby issued subject to the Conditions of Approval provided in Exhibit A.

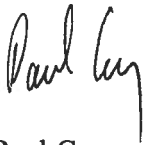
EXHIBIT D

Findings:

1. **An emergency exists and requires action more quickly than permitted by the procedures for ordinary permits, and the development can and will be completed within 60 days.** On October 13, 2010, the City of Santa Barbara Building Official determined that existing concrete deck is an immediate hazard to public safety and constitutes an emergency as defined by Section 13009 of Title 14 of the California Administrative Code.
2. Public Comment on the proposed emergency action has been reviewed if time allows. On December 16, 2009, Planning staff coordinated by telephone with the South Central Coast District Office of the California Coastal Commission as to the nature of the emergency and the scope of the emergency to be performed. On December 18, 2009, public notice of the proposed emergency action pursuant to Section 13329.3 of Title 24 of the California Administrative Code has been issued by mailing notices to property owners with 300 feet of the project and residents within 100 feet of the project. The notice was also announced at the Planning Commission meeting of December 17, 2009. A 3-week comment period prior to issuance of the permit was provided.
3. The work proposed would be consistent with the requirements of the City's Local Coastal Program and the California Coastal Act of 1976. The project would be consistent with California Coastal Act policies 30253, LCP Policies 8.1 & 8.2 which provide for removal of hazardous debris on coastal bluffs, direct the covenant of drainage to the extent feasible away from bluff faces and hazardous areas to the extent feasible, and require minimal alteration of the bluff and beach to the extent feasible. The project has been designed and conditioned to avoid any potential impacts to the beach below the bluff through measures such as removal of all debris to the extent feasible from upland areas, removal of all debris during low tide and the prohibition of machinery or mechanized equipment in the active surf zone. The project is therefore consistent with Sections 30230, 30231, 30233 of the Coastal Act and LCP Policies 6.1 and 6.2. Conditions of approval and project design also minimize the construction period and require coordination with the Parks Department for any limitation in access to the beach during debris removal, consistent with Section 30211 of the Coastal Act and LCP Policy 2.3. The project is consistent with all other provision of the Coastal Act and City's Local Coastal Program.
4. The work proposed is the minimum action necessary to address the emergency and, to the maximum extent feasible, is the least environmentally damaging temporary alternative for addressing the emergency. The existing patio will be cut back to the existing edge of the bluff. A temporary railing will be installed for safety. This is the minimum action necessary to address the emergency and is the least environmentally damaging temporary alternative for addressing the emergency.

5. **The proposed work does not fall within the provisions of Public Resources Code Section 30519(b).** In consultation with James Johnson of the South Central Coast District of the Coastal Commission it has been verified that no filling, dredging, or grading is proposed to be undertaken on any tidelands, submerged lands, or on public trust lands, whether filled or unfilled, lying within the coastal zone.
6. This Emergency Coastal Development Permit shall expire on March 12, 2010. Pursuant to SBMC §28.44.100(E.) (5.), a Coastal Development Permit Application shall be submitted and properly filed with the Planning Division within 90 days of issuance of this permit seeking authorization to permanently retain the structures erected pursuant to this permit. If you have any questions, please feel free to contact me at (805) 564-5503 or Kelly Brodison, Planner at (805) 564-5470.

Sincerely,



Paul Casey
Community Development Director

Exhibits:

- A. Conditions of Approval
- B. Project Site Plan
- C. Applicant letter dated November 30, 2009

cc: James Johnson, California Coastal Commission
Danny Duncan, Property Owner, 10409 Redbridge Way, Bakersfield, CA 93311

CONDITIONS OF APPROVAL

1547 SHORELINE DRIVE
EMERGENCY COASTAL DEVELOPMENT PERMIT
JANUARY 13, 2010

- I. In consideration of the project approval granted by the Community Development Director and for the benefit of the owner(s) and occupant(s) of the Real Property, the owners and occupants of adjacent real property and the public generally, the following terms and conditions are imposed on the use, possession, and enjoyment of the Real Property:
- A. **Emergency Permit Conditions.** Within ninety (90) days of issuance of the emergency permit, a Coastal Development Permit application shall be submitted and properly filed consistent with the requirements of SBMC Chapter 28.44 seeking authorization to retain structures erected pursuant to this emergency permit, to remove such structures, or some other alternative.
- Any development or structures constructed pursuant to this emergency permit shall be considered temporary until authorized by a subsequent coastal development permit and that issuance of an emergency permit shall not constitute an entitlement to the erection of permanent development or structures; and
- The development authorized in this emergency permit must be removed unless a complete application for a coastal development permit is filed within ninety (90) days of approval of the emergency permit. If all or any portion of the application for the Coastal Development Permit seeking authorization for permanent retention of the development authorized pursuant to the emergency permit is denied, the portion of the development that is denied must be removed.
- B. **Construction Parking/Storage/Staging.** Construction parking and storage shall be provided as follows:
1. During construction, free parking spaces for construction workers and construction shall be provided on-site or off-site in a location subject to the approval of the Public Works Director. Construction workers are prohibited from parking within the public right-of-way, except as outlined in subparagraph b. below.
 2. Parking in the public right of way is permitted as posted by Municipal Code, as reasonably allowed for in the 2006 Greenbook (or latest reference), and with a Public Works permit in restricted parking zones. No more than three (3) individual parking permits without extensions may be issued for the life of the project.
 3. Storage or staging of construction materials and equipment within the public right-of-way shall not be permitted, unless approved by the Transportation Manager.
- C. **Construction Best Management Practices (BMPs).** Construction activities shall address water quality through the use of Best Management Practices (BMPs), as approved by the Building and Safety Division.
- D. **Unanticipated Archaeological Resources Contractor Notification.** Prior to the start of any vegetation or paving removal, demolition, trenching or grading, contractors and construction personnel shall be alerted to the possibility of uncovering unanticipated subsurface archaeological features or artifacts associated with past human occupation of

the parcel. If such archaeological resources are encountered or suspected, work shall be halted immediately, the City Environmental Analyst shall be notified and the applicant shall retain an archaeologist from the most current City Qualified Archaeologists List. The latter shall be employed to assess the nature, extent and significance of any discoveries and to develop appropriate management recommendations for archaeological resource treatment, which may include, but are not limited to, redirection of grading and/or excavation activities, consultation and/or monitoring with a Barbareño Chumash representative from the most current City qualified Barbareño Chumash Site Monitors List, etc.

If the discovery consists of possible human remains, the Santa Barbara County Coroner shall be contacted immediately. If the Coroner determines that the remains are Native American, the Coroner shall contact the California Native American Heritage Commission. A Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List shall be retained to monitor all further subsurface disturbance in the area of the find. Work in the area may only proceed after the Environmental Analyst grants authorization.

If the discovery consists of possible prehistoric or Native American artifacts or materials, a Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List shall be retained to monitor all further subsurface disturbance in the area of the find. Work in the area may only proceed after the Environmental Analyst grants authorization.

E. **Construction Responsibilities and Debris Removal.** The applicant shall, by accepting this permit, agree and ensure that the project contractor shall comply with the following construction-related requirements:

1. Applicant shall coordinate with Parks Department for any access to the beach during low tide to remove any fallen debris. Prior to construction, the contractor shall identify any limitation of public access to the beach that may be needed to protect public safety and shall coordinate with the Parks Department to develop a plan to protect the public while minimizing the time period of any limitations in public access.
2. No construction materials, debris, or waste shall be placed or stored where it may be subject to wave erosion and dispersion;
3. Any and all debris resulting from construction activities shall be removed from the beach prior to the end of each work day;
4. No machinery or mechanized equipment shall be allowed at any time within the active surf zone, except for that necessary to remove the errant rocks from the beach seaward of the revetment..
5. Construction equipment shall not be cleaned on the beach or in any area where runoff from cleaning could drain to the beach;
6. Construction debris and sediment shall be properly contained and secured on site with BMPs to prevent the unintended transport of sediment and other debris into coastal

waters by wind, rain or tracking. Any and all debris resulting from construction activities shall be removed from the project site within 24 hours. Should any portion of the beach be impacted by debris removal, The City's Community Development Department and California Coastal Commission shall be notified and the area shall be restored to natural conditions as soon as possible including the redeposition of any sand back on the beach.

- F. **Coastal Bluff Liability Limitation.** The Owner understands and is advised that the site may be subject to extraordinary hazards from waves during storms and erosion, retreat, settlement, or subsidence and assumes liability for such hazards. The Owner unconditionally waives any present, future, and unforeseen claims of liability on the part of the City arising from the aforementioned or other natural hazards and relating to this permit approval, as a condition of this approval. Further, the Owner agrees to indemnify and hold harmless the City and its employees for any alleged or proven acts or omissions and related cost of defense, related to the City's approval of this permit and arising from the aforementioned or other natural hazards whether such claims should be stated by the Owner's successor-in-interest or third parties.

March 17, 2011

Mr. Danny Duncan
1547 Shoreline Drive
Santa Barbara, California 93109

Re: Preliminary *Geologic & Hydrogeologic Investigation*
Landscape and Drainage Project
1547 Shoreline Drive
Santa Barbara, California
APN 045-173-041



Dear Mr. Duncan:

1. INTRODUCTION

Pursuant to your request, we present our PRELIMINARY GEOLOGIC INVESTIGATION of the above captioned properties. Our office has conducted several site visits on the 1547 Shoreline property from April 2001 to present in order to assess the geologic conditions on the property and surrounding area. The purpose of this report is to provide geologic input (including a sea cliff retreat study) for the proposed landscaping project.

The existing residence is located on the elevated terrace in the northern portion of the property, south of Shoreline Drive. An approximate 100 foot high south facing sea bluff is located approximately 108 feet south of the residence. There were several tall Eucalyptus trees located around the residence and near the sea cliff face that had been removed to allow the for re-landscaping of the property using predominantly deep rooted ground cover (see Arcadia Landscape Plan, dated February 9, 2011).

A landslide had occurred on the sea cliff face, undermining portions of the existing concrete deck, during the 2000-2001 winter storms. The small shed previously located near the top of the slope along the eastern property boundary has since been removed for pre-cautionary measures. It is our understanding that you propose to landscape the backyard area and maintain the existing drainage system.

2. TOPOGRAPHY

The northern portion of the parcel (including the existing residence) is situated on an uplifted terrace with a gentle ocean ward slope of 2° to 10° to the south and southeast. The slope angles on the moderately steep sloping sea bluff face range from approximately 45° to 65° or more in some areas, with an average slope angle of approximately 60°. Elevations on the property range from a low of near sea level (or mean high tide) at the southern property boundary to a maximum of approximately 111 feet along the northwestern property boundary, according to a topographic survey conducted by *Penfield & Smith Surveys, Incorporated for the Santa Barbara County Flood Control (dated April 10, 1995)*. This data is confirmed with a recent site specific topographic map of the site, prepared by Prober Land Surveying (dated January 12, 2011).

EXHIBIT E

3. GEOLOGY

3.1. Regional Geologic Setting

The South Coast is part of the Transverse Range Province of California, locally dominated by the east-west trending Santa Ynez Mountain Range and adjacent coastal valleys. Folding and faulting of the region through time has created a complex geologic setting. Consolidated shale, siltstone, and sandstone bedrock of Cretaceous through Miocene age make up the majority of the Santa Ynez Range. Much younger (typically Pleistocene age) unconsolidated to weakly consolidated deposits, typically composed of the erosional remnants of the older formations, are commonly found in the lower elevations between the high mountains and the shoreline. These materials typically overlie the bedrock as an unconformity (a depositional hiatus between the two formations). The earth materials that are in close proximity to the project site are described in greater detail in the following section.

3.2. Local Geology

Our surface investigation of the property revealed a silty sandy soil, fill material, landslide deposits, beach sand, Older Alluvium, and the Monterey Formation. Fill material is inferred to be located behind the numerous retaining walls located on the property.

3.2.1. Beach Sand

A southward thickening blanket of beach sand is found at the toe of the bluff and extending into the Pacific Ocean. This Holocene age deposit is denoted as "Qs" on Figure 1. The beach sand is generally composed of tan colored, unconsolidated, well-sorted sands and gravels.

3.2.2. Older Alluvium

The elevated terrace on the subject property (including the existing residence) is underlain by Late (?) Pleistocene age Older Alluvium. This stratigraphic unit is graphically shown as "Qoa" on Figure 1. The Older Alluvium is generally composed of tan to reddish-brown colored, unconsolidated to weakly consolidated sands, silts, clays, and lesser amounts of gravel conglomerate. The gravels mainly consist of sub-rounded to rounded sandstone pebbles and cobbles to 10 inches in diameter (possibly larger) with lesser amounts of smaller diameter chert and quartzite pebbles. Bedding within Older Alluvium on this property is inferred to be near flat lying to gently inclined (dip) to the south. The total depth of the Older Alluvium on the elevated terrace is variable due to its unconformable contact with the underlying bedrock (Monterey Formation). The depth of the Older Alluvium may range from zero (where it daylights on the sea bluff) in the southern portions of the property, to approximately 10 feet or more in the northern portions of the property (see Figure 3). The depth of the Older Alluvium along the exposed sea cliff, below the deck, ranges from approximately 2 to 3 feet from east to west.

3.2.3. Monterey Formation

Unconformably underlying the beach sand, landslide deposits, and Older Alluvium on the property, and exposed along the sea bluff in the southern portion of the property is the Miocene age Monterey Formation. Several good exposures of the Monterey Formation are found along the sea bluff. This marine deposited strata is graphically shown as "Tm" on Figures 1 and 3. The Monterey Formation is generally composed of a well bedded, white to tan colored, siliceous shale with interbedded dark gray bituminous shale. Thin partings of soft, weathered white bentonite clay lenses may also be present within the Monterey shale bedrock. Local folding of the Monterey Formation is evident on the sea cliff with a northwest-southeast trending anticline and syncline located on the property. Bedding attitudes within the Monterey Formation on this property and surrounding sea bluff strike approximately North 43° to 75° West and dip to the north at approximately 34° to 45° and to the south at approximately 54° to 75° or more. The Monterey shale exposed on portions of the sea bluff closest to the concrete deck suggests that the bedding planes are inclined (dip) at angles coincident with the surrounding sloping sea bluff face. However, the anticline axis is located just north of the landslide failure plane suggesting that the Monterey shale bedrock is supported in this area.

3.2.4. Landslide and Slope Stability

As mentioned above, a moderate sized landslide was observed on the sea bluff area of the subject property in 2001. Portions of the concrete deck had been undermined as a result of landsliding. The landslide deposits were located at the base of the sea bluff. The exposed basal slide plane appears to be coincident with the Monterey shale bedding plane dip angle of approximately 54° to 75° to the south. The cause of the landslide on the property was due to several factors that have effectively reduced the overall stability of the sea bluff. The greatest contributing sources for the slope failure include the accelerated erosion and undercutting of the bluff due to wave erosion, consequently steepening and removing the basal support for the sea bluff. Unsupported (daylighted) Monterey shale bedrock bedding planes can be seen along the sea bluff particularly where wave erosion has eroded and/or undermined the toe of the bluff. These unsupported shale bedding planes create a plane of weakness on the sea bluff, thereby allowing materials above the daylighted bedding to slide toward the ocean. In addition, the 2001 winter saturated the soil, Older Alluvium, and bedrock on the property. This addition of water increased the overall weight of the earth materials on the bluff, thereby increasing the force of gravity acting upon the earth materials on the bluff. In general, moderate to steep sloping terrain that is underlain by the Monterey Formation and its associated clay rich soils is notorious for shallow and sometimes deep seated slope instability along the South Coast. The landslide deposited at the base of the slope has since been removed with wave action on the beach below.

3.3. Landscape, Erosion, and Drainage Calculations

There were several tall Eucalyptus trees located around the residence and near the sea cliff face that had been removed to allow the for re-landscaping of the property using predominantly deep rooted ground cover (see Arcadia Landscape Plan). It is our opinion that these trees were safely removed without any increase in erosion to the sea bluff or decrease in stability of the slope. This opinion is based on the shallow rooted nature of the Eucalyptus trees and their propensity to topple over in heavy winds, particularly when the soil is saturated (i.e. during or following a rainfall event). The subsequent void created at or near the top of slope, after a tree has fallen, thereby increases the rate of erosion along the sea bluff. Removal of the large trees also took away the potential threat of falling trees onto the beach..

In addition, it is our understanding that the leaf litter generated by the Eucalyptus trees can reduce the desired ground cover below the canopy of the trees (due to their oil content). This lack of ground cover (particularly native deep rooted drought tolerant varieties), thereby increases the potential for erosion. There are many deep rooted native plants and trees that would be more suitable in reducing the erosion and increasing the stability of the sea cliff, as described in the Arcadia Landscape Plan

Therefore, based on the geometry of the sea cliff face (relatively steep sea cliff face), and the nature of the shallow rooted Eucalyptus trees, it is our opinion that the removal of the Eucalyptus trees would had no detrimental effects to the sea bluff.

Much of the rainfall that occurs in the area appears to percolate directly into the subsurface. However, there is some evidence that excess surface water runoff may passed down slope as sheet flow causing surface erosion in the past. The Older Alluvium is susceptible to erosion when uncontrolled surface runoff water is allowed to flow over unprotected slopes. Erosion scars were visible along the beach bluff. The erosion scars are inferred to be the result of concentrated runoff water (from rainfall, irrigation water, or residential runoff overflow) directed onto the sea bluff. The potential for significant erosional damage has been greatly reduced following the drainage control measures that have been implemented on the subject property and neighboring property to the west. The approved erosion and drainage control plan included capturing surface water runoff from both properties and directing the runoff water into the existing City of Santa Barbara Storm drain via a 6 inch diameter drainage pipe.

The northern 0.4 acre parcel contains a small portion (approximately 3,024 square feet or 17.4%) of the northern parcel that slopes toward Shoreline Drive, while the remainder of the northern parcel and a small portion of the southern parcel slope into the permitted surface drainage inlet boxes located in the southern portion of the property. The runoff water from lower deck, near the top of bluff, flows into a sump that is then pumped via a sump pump to the main drainage pipe on the elevated terrace above. A back up battery system has been installed in case the electricity fails.

Therefore the site consists of approximately 3,499.52 square feet of relatively impervious surfaces (roofs, patios, etc.) and 12,321 square feet of landscaped area, that slopes to the existing, permitted surface

drains in the southern portion of the property. We have provided runoff calculations below using the Rational Method using a minimum time of concentration of 12 minutes for the 25 and 100 year storm events. The drainage calculations have been

PRE-DEVELOPMENT RUNOFF CALCS

Q = CIA C = Runoff Coefficient I = Intensity and A = Area

Roof and hardscape runoff: C = 0.90

Landscape runoff C = 0.35

Q (25 year) = 3.18 $((0.9 \times 3,500) + 0.35 (12,321)) / (12 \times 3600) = 0.549$ cubic feet/second

Q (100 year) = 4.03 $((0.9 \times 3,499) + 0.35 (12,321)) / 12 (3600) = 0.696$ cubic feet/second

POST-DEVELOPMENT RUNOFF

Q = CIA C = Runoff Coefficient I = Intensity and A = Area

Roof and hardscape runoff: C = 0.90

Landscape runoff C = 0.35 (moderately permeable silty sandy soils)

The pre-development site contains approximately 3,499.52 square feet of relatively impervious surfaces and 12,321 square feet of landscaped area.

Q (25 year) = 3.18 $((0.9 \times 3,500) + 0.35 (12,321)) / (12 \times 3600) = 0.549$ cubic feet/sec

Q (100 year) = 4.03 $((0.9 \times 3,499) + 0.35 (12,321)) / 12 (3600) = 0.696$ cubic feet/sec

Note:

There is no change in post development runoff from the pre-development runoff, since the trees removed are to be replaced with good ground cover as per the Arcadia Landscape Plan.

Therefore, the existing 6 inch diameter drainage pipe capturing water off the subject property with a 2% fall is more than adequate to capture the runoff from the above calculated flow rates from a 25 year and 100 year storm event.

3.4. Sea Cliff Retreat and Slope Stability

Sea cliff retreat is here defined as the progressive landward recession of the shoreline due to both natural and man-made failure processes. Processes that promote sea cliff retreat in this area could include:

- 1) surface and subsurface water drainage control problems;
- 2) erosion of the base of the sea cliff by wave action;
- 3) landslides on the cliff face
- 4) creep of near surface soil and talus material; and
- 5) chemical erosion (the break down of the cement that holds the individual sedimentary particles together).

The greatest contributing source for the 2001 slope failure was the accelerated erosion and undercutting of the bluff due to wave erosion, consequently steepening and removing the basal support for the sea bluff. Unsupported (daylighted) Monterey shale bedrock bedding planes can be seen along the sea bluff, particularly where wave erosion has eroded and/or undermined the toe of the bluff. These unsupported

shale bedding planes create a plane of weakness on the sea bluff, thereby allowing materials above the daylighted bedding to slide toward the ocean. In addition, rainfall saturated the soil, Older Alluvium, and bedrock on the property. This addition of water increased the overall weight of the earth materials on the bluff, thereby increasing the force of gravity acting upon the earth materials on the bluff. In general, moderate to steep sloping terrain that is underlain by the Monterey Formation and its associated clay rich soils is notorious for shallow and sometimes deep seated slope instability along the South Coast. The landslide deposit on the parcel is generally composed of redeposited soil, Older Alluvium, and Monterey shale. We have outlined recommendations within this report to reduce the potential for slope instability hazards acting upon the existing concrete deck .

3.5. Photogrammetric Analysis

To aid in the process of determining rates of sea cliff erosion on the subject property and the neighboring property to the east, we have conducted a detailed photogrammetric analysis of the site and surrounding area in 2003 that measures distances between existing fixed markers and the same fixed markers as seen in old aerial photographs of the area. We have also taken new measurements in 2011, to verify the previous data collected in 2003. Our detailed investigation of sea cliff retreat included the establishment of several fixed points (i.e. Shoreline Drive; trees and structures) on the subject property and neighboring properties to the east that could be identified on old air photos and are still in place in the field today. We have also reviewed previously published and unpublished reports and maps that document rates of sea cliff retreat elsewhere along the South Coast.

Initially, air photos of the area taken in 1928 and 1938 (Fairchild) were inspected and reviewed. These older photographs were not particularly useful for this project because of their relatively small scale (1 inch equals 1,667 and 2,000 feet, respectively). No sea cliff retreat rate data could be determined from the 1928 and 1938 photos because of its relatively small scale. We then reviewed a series of high resolution, large scale photographs from the Santa Barbara County, Planning & Development on June 17, 1966 (photos HB-HS-117, and -118; scale 1 inch = 242 feet). Several key features on the 1966 photos are still currently present in the area with which to accurately determine the amount of retreat that has occurred since that time. By viewing the aerial photo (stereo) pairs with the aid of a stereoscope, we were able to simulate a three dimensional view of the site and surrounding area to determine the approximate location of the top of bluff in relationship to the fixed markers. The top of bluff was determined as the inflection point where the break in the slope was observed (see Site Map, Figure 2). By analyzing these photo pairs and contrasting them with the existing sea cliff location, subtle changes along the coastline were measured.

Several markers on the properties were measured to the top of the bluff, with a total maximum retreat of approximately 16 feet on the subject property and neighboring property to the east during the 44.5-year time period (from June 17, 1966 to March of 2011). This is equivalent to an average approximate retreat rate of 0.36 feet per year (16 feet/44.5 years), or 4.3 inches per year. This number is slightly less than the

4.5 inches per year measured in our 2003 study. However, given we have had only one exceptional heavy winter rainfall year during the past 8 years (2004-2005 rainfall year); we recommend using the more conservative estimate of 4.5 inches per year.

It should be noted that sea cliff retreat rates are closely related to weather, tides, and surf conditions. While average long term rates of sea cliff retreat are usually reported as occurring at rates of inches or feet per year, the actual process is typically episodic, with sudden larger than average losses occurring when severe storms and/or high surf episodes attack the coastline, followed by years or even decades of very little retreat. For example, the winter storms of 2000-2001 caused approximately 10 feet of sea cliff retreat beneath a portion of the subject property's patio. Examples of recent severe winter conditions occurred during the winter seasons of 1969-70, 1979-80, 1982-83, 1994-95, 1997-98, and 2004-2005. Because the time interval over which our sea cliff retreat analysis included several of these severe winter erosion episodes, it is our preliminary opinion that the above listed average rate calculations are reasonably representative of a longer term time frame.

Application of the site specific, average retreat rate of 4.5 inches per year and a design life of 75 years (Santa Barbara County and California Coastal Commission Guidelines), the total theoretical sea cliff retreat for this site would be approximately 28 feet from the current top of bluff. The theoretical 75 year top of bluff is shown on the SITE MAP (see Figure 2). It is noteworthy that the theoretical 75 year setback line is situated approximately 23 feet from the southwest corner of the neighboring Nicholson residence. This 75 year setback line was also projected onto the neighboring vacant property to the west.

4. CONCLUSIONS

Fill material, silty sand soil, Older Alluvium, and the Monterey Formation underlie the subject property and sea cliff face. The several tall Eucalyptus trees that were located around the residence and near the sea cliff face had been removed to allow for the proposed re-landscaping of the property using predominantly deep rooted ground cover (see Arcadia Landscape Plan). It is our opinion that these trees were safely removed without any increase in erosion to the sea bluff or decrease in stability of the slope. This opinion is based on the shallow rooted nature of the Eucalyptus trees and their propensity to topple over in heavy winds, particularly when the soil is saturated (i.e. during or following a rainfall event). The subsequent void created at or near the top of slope, after a tree has fallen, thereby increases the rate of erosion along the sea bluff. Removal of the large trees also took away the potential threat of falling trees onto the beach..

Therefore, based on the geometry of the sea cliff face (relatively steep sea cliff face), and the nature of the shallow rooted Eucalyptus trees, it is our opinion that the removal of the Eucalyptus trees had no detrimental effects to the sea bluff. Likewise, we have reviewed the Landscape Plan provided by Arcadia (dated February 9, 2011) and found the plan to provide an increase in the overall stability of the property.

Geologic Report: Duncan Landscape Project - 1547 Shoreline Drive, Santa Barbara, CA
March 17, 2011

Therefore, there is no change in post development runoff from the pre-development runoff, since the trees removed are to be replaced with good ground cover as per the Arcadia Landscape Plan. The existing 6 inch diameter drainage pipe capturing water off the subject property with a 2% fall is more than adequate to capture the runoff from the above calculated flow rates from a 25 year and 100 year storm event.

A 1 inch in 24 hour runoff calculation was not conducted for the proposed changes to the property, since the improved landscape plan does not increase the runoff for the property. In fact the runoff calculation would likely decrease a small percentage due to the increased ground cover.

The above findings are the result of on-going observation of the property plus a recent approximate one day field investigation of the property and surrounding area, analyses of several historic aerial photographs, and review of relevant hydrologic, geologic, and soils literature, maps, and cross sections. Based on these findings, it is our conclusion that it is feasible to landscape the property with deep rooted drought tolerant landscape species.

If we can be of any further service to you on this or other geologic matters, please do not hesitate to contact our office.

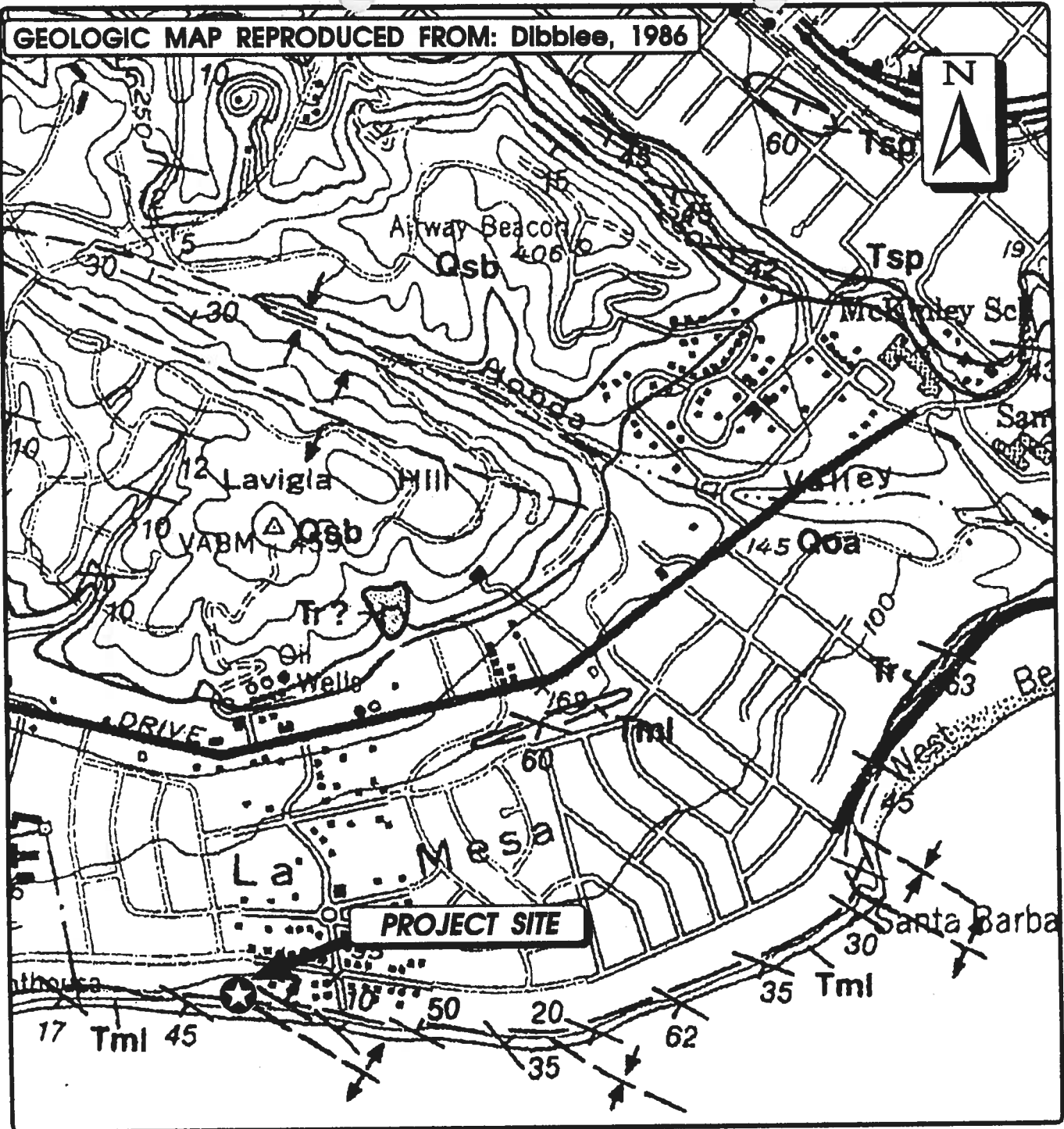
Sincerely,



Mr. Adam Simmons
Certified Engineering Geologist & Hydrogeologist
State of California PG #6234 EG #2015 HG #509



GEOLOGIC MAP REPRODUCED FROM: Dibblee, 1986



LEGEND

- Qs Beach Sand
- Qg Stream Channel Deposits
- Qa Younger Alluvium
- Qoa Older Alluvium
- Tml Monterey Formation
- Formational contact: dashed where approximate
- - - Fault contact: dashed where approximate
- ↕ Anticline Axis
- ↗ 24° Strike & dip of bedding (74° overturned)
- ★ Project Site: approximate location

SCALE IN FEET



REGIONAL GEOLOGIC MAP

PRELIMINARY GEOLOGIC INVESTIGATION

Duncan Project

1547 Shoreline Drive, Santa Barbara, Calif.

Adam Simmons & Associates

CERTIFIED ENGINEERING GEOLOGIST & HYDROGEOLOGIST

150 Santa Ana Avenue, Santa Barbara, CA 93111
TEL. & FAX (805) 964-1847

FIGURE

1

Adam Simmons -- Consulting Geologist**CERTIFIED ENGINEERING GEOLOGIST & HYDROGEOLOGIST -- CEG #2015 RG #6234 HG #509****September 28, 2010**

**Mr. Danny Duncan
1547 Shoreline Drive
Santa Barbara, California 93109**

**Re: *Geologic Investigation
Tree Removal Project
1547 Shoreline Drive
Santa Barbara, California***

.....

Dear Mr. Duncan:

Pursuant to your request, we present herewith a GEOLOGIC INVESTIGATION of the above captioned property. Our office has conducted several site visits on the property from April 2001 to present in order to assess the geologic conditions on and surrounding the subject property. The purpose of this geologic report is to provide input for the proposed removal of the large Eucalyptus trees located on the property.

The existing eucalyptus trees are located on the elevated terrace in the southern portion of the property, south of Shoreline Drive. An approximate 100 high south facing sea bluff is located in the proximity of the trees. Our surface investigation of the area in the vicinity of the existing Eucalyptus trees revealed a silty sandy soil, fill material, a veneer of Older Alluvium, and the Monterey Formation at depth.

There are several tall, Eucalyptus trees present around the residence and near the sea cliff face. It is my opinion that these trees may be safely removed without any increase in erosion to the sea bluff or decrease in stability of the slope. This opinion is based on the shallow rooted nature of the Eucalyptus trees and their propensity to topple over in heavy winds, particularly when the soil is saturated (i.e. during or following a rainfall event). The subsequent void created at or near the top of slope, after a tree has fallen, thereby increases the rate of erosion along the sea bluff. The large trees may also create a potential threat to people on the beach as they slide down the cliff face.

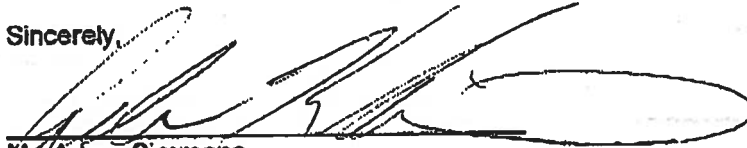
In addition, it is my understanding that the leaf litter generated by the Eucalyptus trees can reduce the desired ground cover below the canopy of the trees (due to their oily content). This lack of ground cover (particularly native deep rooted drought tolerant varieties), thereby increases the potential for erosion. There are many deep rooted native plants and trees that would be more suitable in reducing the erosion and increasing the stability of the sea cliff.

Therefore, based on the geometry of the sea cliff face (relatively steep sea cliff face), and the nature of the shallow rooted Eucalyptus trees, it is my opinion that the removal of the Eucalyptus trees would have no detrimental effects to the sea bluff. The above findings are the result of on-going observation of the property plus a recent site inspection of the property and surrounding area, analyses of several historic aerial photographs, and review of relevant hydrologic, geologic, and soils literature, maps, and cross sections. Based on these findings, it is our conclusion that it is feasible to cut back or remove the eucalyptus trees on the property.

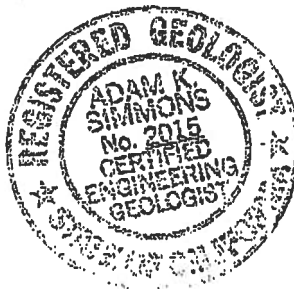
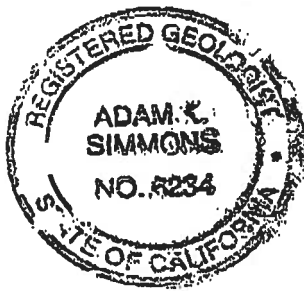
Geologic Report: Duncan Project -1547 Shoreline Drive, Santa Barbara, CA
September 28, 2010

If we can be of any further service to you on this or other geologic matters, please do not hesitate to contact our office.

Sincerely,



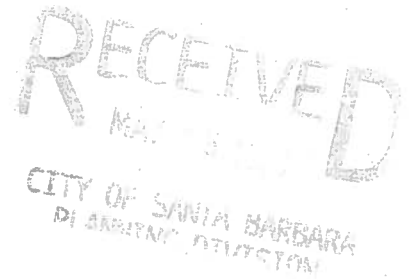
Mr. Adam Simmons
Certified Engineering Geologist & Hydrogeologist
State of California PG #6234 EG #2015 HG #509



April 16, 2009

**Mr. & Mrs. Danny Duncan
1547 Shoreline Drive
Santa Barbara, California 93109**

**Re: Preliminary Geologic Investigation -- Addendum Report
Patio Repair Project
1547 Shoreline Drive
Santa Barbara, California**



Dear Mr. & Mrs. Duncan:

Pursuant to your request, we present herewith an update to our PRELIMINARY GEOLOGIC INVESTIGATION and Addendum reports prepared for the above captioned property (dated June 3, 2001 & November 25, 2003). Our office has conducted several site visits on the property from April 2001 to present in order to assess the geologic conditions below and surrounding the undermined concrete patio and potting shed located at the top of the sea bluff on the subject property. The purpose of this update report is to provide a geologic update of the proposed patio repair project. Our office has also reviewed the updated engineering drawings for the patio repair project by M. L. Grant (dated April 2, 2009).

The existing residence is located on the elevated terrace in the northern portion of the property, south of Shoreline Drive. An approximate 100 foot high south facing sea bluff is located approximately 108 feet south of the residence. A landslide has occurred on the sea cliff face, undermining portions of the existing concrete deck and potting shed, during the 2000-2001 winter storms. It is our understanding that you propose to cut back the undermined portions of the concrete deck and potting shed and install a structural support for the remaining existing deck and tree well located around the existing large Eucalyptus tree.

The proposed repairs include improving the drainage on the deck by capturing most if not all of the surface water runoff from the surrounding impermeable surfaces and directing the flow to the existing drainage sump which pumps water away from the sea bluff below the deck.

The above findings are the result of the recent and past field observations of the property and surrounding area, analyses of several historic aerial photographs, and review of relevant hydrologic, geologic, and soils literature, maps, and cross sections. Based on these findings, it is our conclusion that it is feasible to cut back the undermined concrete deck and install a grade beam below the tree well wall, per the M.L. Grant plans, to provide additional support for the remaining existing wall & deck, with the knowledge that future wave erosion at the base of the bluff may trigger future slope instability on the sea cliff.

We recommend the use of safety gear (ropes and harnesses) for all personnel working on or near the sea bluff. We also recommend placing a worker/spotter with hardhat, away from the base of slope during the demolition, to prevent pedestrians from entering a potential fall hazard area and to collect any fallen debris (if any). No work shall be conducted during or immediately following a heavy rainfall period.

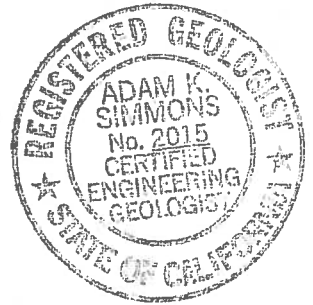
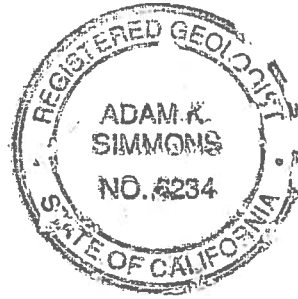
Geologic Update Report: Dunlap Patio Repair Project -1547 Shoreline Drive, S. B., CA
April 16, 2009

If we can be of any further service to you on this or other geologic matters, please do not hesitate to contact our office.

Sincerely,



Mr. Adam Simmons
Certified Engineering Geologist & Hydrogeologist
State of California PG #6234 EG #2015 HG #509



RECEIVED
MAY 18 2009

CITY OF SANTA BARBARA
PLANNING DIVISION



City of Santa Barbara

California

CITY OF SANTA BARBARA PLANNING COMMISSION

RESOLUTION NO. 022-93
1547 SHORELINE DRIVE
APRIL 15, 1993

SUBJECT:

Application of Peter Edwards, Agent for Gerrold Rubin,
1547 Shoreline Drive, APN 45-173-41, E-3/SD-3
One-Family Residence Zone/Special District--Coastal Overlay
Zone, General Plan Designation: Residential, 5 Units Per Acre.

The project involves the remodel and addition of 1,556 square feet to an existing 3,656 square foot single-family residence on a bluff front property. There is also an existing cabana and shed on the parcel that are proposed to remain. The required discretionary application is a Coastal Development Permit (CDP92-0039) for development in the Appealable Jurisdiction of the Coastal Zone (SBMC §28.45.009).

The Environmental Analyst has determined that the project is exempt from environmental review pursuant to the California Environmental Quality Guidelines Section 15301e (ENV93-0046).

WHEREAS, the Planning Commission has held the required public hearing on the above application, and the Applicant was present.

WHEREAS, no one appeared to speak in favor of the application or in opposition thereto, and the following exhibits were presented for the record:

1. Staff Report with Attachments, April 15, 1993
2. Site Plan

NOW, THEREFORE BE IT RESOLVED that the City Planning Commission:

- I. Approve the subject application making the following findings and determinations:

The proposed project is consistent with the policies of the California Coastal Act, and the project is consistent with all applicable policies of the City's Coastal Plan. The project is compatible with the land use planned for the area which is single family residential. It is consistent with the erosion and seacliff retreat hazards because building construction is outside of the required structure setback and away from the bluff; drainage improvements are proposed to reduce erosion potential; archaeological resources will not be impacted and it is consistent with all applicable implementing guidelines, and all applicable provisions of the Code.

II. Said approval is subject to the following conditions:

- A. Prior to the issuance of any building permit for the project on the Real Property, the following conditions shall be imposed on the use, possession and enjoyment of the Real Property and shall be recorded by the Owner in a written instrument which shall be reviewed as to form and content by the City Attorney and Community Development Director:
1. Owner shall provide for the flow of water through the Real Property including, but not limited to, swales, natural water courses, conduits and any access road, as appropriate. Owner is responsible for the adequacy of any drainage facilities and for the continued maintenance thereof in a manner which will preclude any hazard to life, health, or damage to the Real Property or any adjoining property. The drainage is to be designed to drain away from the seacliff.
 2. No recreational vehicles, boats or trailers shall be stored on the Real Property.
 3. Owner shall assign to the City of Santa Barbara the exclusive right to extract water from under the Real Property. Said assignment and any related agreements are subject to the review and approval of the City Attorney.
 4. Exterior lighting, where provided, shall be of low intensity in order to promote safety, but shall not impose on adjacent properties and uses. No floodlights shall be allowed. Lighting shall be directed toward the ground.

5. The Owner understands and is advised that the site may be subject to extraordinary hazards from waves during storms and erosion, retreat, settlement, or subsidence and assumes liability for such hazards. The Owner unconditionally waives any present, future, and unforeseen claims of liability on the part of the City arising from the aforementioned or other natural hazards and relating to this permit approval, as a condition of this approval. Further, the Owner agrees to indemnify and hold harmless the City and its employees for any alleged or proven acts or omissions and related cost of defense, related to the City's approval of this permit and arising from the aforementioned or other natural hazards whether such claims should be stated by the Owner's successor-in-interest or third parties.
 6. Landscaping on the bluff shall be done with low-water use, and planting shall be approved by the ABR.
 7. The applicant shall agree to obtain the necessary permits to remove the portion of or all of the bathhouse as it becomes structurally threatened by bluff erosion prior to its loss over the edge of the bluff.
- B. The Owner shall complete the following prior to the issuance of building permits:

The following information shall be specified on the construction plans submitted for building permits:

1. Construction-related truck trips shall not be scheduled during peak hours (7:00 a.m. to 9:00 a.m. and 4:00 p.m. to 6:00 p.m.) to help reduce truck traffic on adjacent streets and roadways.
2. The route of construction-related traffic established to minimize trips through surrounding residential neighborhoods.
3. Construction prohibited on Saturday, Sunday, Holidays, and between the hours of 7:00 p.m. and 7:00 a.m.
4. Trucks transporting fill material to and from the site shall be covered.

- C. The following requirements shall be incorporated into, or submitted with the construction plans, submitted to the Division of Land Use Controls with applications for building permits. All of these construction requirements must be completed prior to the issuance of a Certificate of Occupancy:
1. A geology report prepared by a licensed engineer, geologist or equal.
 2. All Planning Commission Conditions of Approval shall be provided on a full size drawing sheet as part of the drawing sets. A statement shall also be placed on the above sheet as follows: The undersigned have read and understand the above conditions, and agree to abide by any and all conditions which it is their usual and customary responsibility to perform, and which are within their authority to perform.

Signed:

Property Owner		Date
Contractor	Date	License No.
Architect	Date	License No.
Engineer	Date	License No.

- D. Prior to issuance of the Certificate of Occupancy, the Owner of the Real Property shall complete the following:

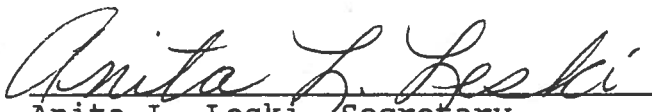
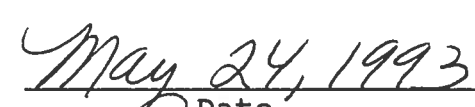
Repair any damaged public improvements (curbs, gutters, sidewalks, etc.) subject to the review and approval of the Public Works Department. Where tree roots are the cause of the damage, the roots are to be pruned under the direction of a qualified Arborist.

Resolution No. 022-93
1547 Shoreline Drive
April 15, 1993
Page 5

This motion was passed and adopted on the 15th day of April, 1993 by the Planning Commission of the City of Santa Barbara, by the following vote:

AYES:	6	NAYS:	0	ABSTAIN:	0
ABSENT:	1(Unzueta)				

I hereby certify that this Resolution correctly reflects the action taken by the City of Santa Barbara Planning Commission at its meeting of the above date.

	
Anita L. Leski, Secretary	Date

THIS ACTION OF THE PLANNING COMMISSION CAN BE APPEALED TO THE CITY COUNCIL WITHIN TEN (10) DAYS AFTER THE DATE THE ACTION WAS TAKEN BY THE PLANNING COMMISSION.

